

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA**

INDECK KEYSTONE ENERGY LLC, )  
Plaintiff, )  
v. ) Civil Action No. 04-325 Erie  
VICTORY ENERGY OPERATIONS ) Judge Sean J. McLaughlin  
LLC, )  
Defendant )

## **ORDER**

AND NOW, this \_\_\_\_\_ day of April, 2007, the Defendant's Motion for Ruling Denying and Striking IKE's Reverse Passing Off Claims is granted and this Court hereby orders that IKE's claims of trademark infringement, unfair competition and unjust enrichment based on reverse passing off for boilers under the trademarks "VICTORY®" and "VOYAGER®", and for either copying or disseminating of proposals and/or designs are hereby denied and stricken.

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Sean J. McLaughlin  
United States District Judge